

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

ORIGINAL  
ILLINOIS  
COMMERCE COMMISSION  
SEP 22 1 32 PM '00

IN THE MATTER OF:

**Application of PMT PAY TELEPHONE CO., an Illinois corporation, for a Certificate of Service Authority to provide customer-owned pay telephone services (COPTS) within the State of Illinois and for authority for PETER MASZTAK as an individual to withdraw from providing customer-owned pay telephone services (COPTS) within the State of Illinois.**

CHIEF CLERK'S OFFICE  
Docket No: 00-0625

**VERIFIED APPLICATION**

Pursuant to the Illinois Public Utilities Act and the Commission's Rules of Practice, PMT PAY TELEPHONE CO., an Illinois corporation, hereby respectfully seeks a Certificate of Service Authority to provide customer-owned pay telephone services (COPTS) within the State of Illinois and, immediately upon receiving same, PETER MASZTAK hereby respectfully seeks authority as an individual to withdraw from providing customer-owned pay telephone services (COPTS) within the State of Illinois.

WHEREFORE, THE APPLICANT HEREIN RESPECTFULLY SHOWS:

1. That it is an Illinois corporation in good standing .
2. That the applicant's office business address is: 9449 Ironwood, DesPlaines, IL 60016.
3. That the applicant desires to operate customer-owned pay telephones in public locations as defined by the Illinois Commerce Commission in its Order in Docket 84-0442, of June 11, 1986 and desires further to transact a general coinless or coin pay telephone business rendering telecommunications services for the public in the State of Illinois.
4. That the applicant will comply with the terms of the Order of the Illinois Commerce Commission in Docket 84-0442.
5. That the applicant states that its coin and/or coinless pay telephones will be operated in conformance with the guidelines as set forth in Finding (9) of the Commission's Order in Docket 84-0442, entered on June 11, 1986.
6. That upon the granting of a Certificate of Service Authority to the Petitioner, the Petitioner intends to follow the procedures set forth in 83 Ill. Adm. Code 745 for filing tariffs designating the services offered in the tariff as competitive thus exempting it from the provisions of The Public Utilities Act

and Commission regulations applicable to noncompetitive services provided by telecommunications carriers.

7. That the Petitioner requests to be exempted from 83 Ill. Adm. Code 710 and 83 Ill. Adm. Code 735.
8. That the Petitioner as required will file with the Commission a tariff showing its rates and charges and conditions of service pursuant to Sections 13-501 and 13-502 and in compliance with 83 Ill. Adm. Code 255.30.
9. That in Docket Number 90-0411, pursuant to an Order entered on April 3, 1991 it was certified by the Commission that Mr. Peter Masztak is authorized to provide public pay telephone services through the resale of local exchange and interexchange services from public locations (as defined in the Orders entered in Dockets 84-0464 and 84-0442 and in any subsequent Orders therein) in the State of Illinois.
10. That in Docket Number 90-0411, it was further Ordered on April 3, 1991 that 83 Ill. Adm. Code 710 and 735 were waived pursuant to Section 13-402 of the Act, in that such waiver will reduce the economic burden of regulation and is not inconsistent with the Act or the purposes of Article XIII.
11. That in Docket Number 90-0411, it was further Ordered on April 3, 1991 that as a condition of the Certificate of Service Authority, Peter Masztak was directed to operate public pay telephones in conformance with the guidelines as set forth in Finding (9) of the Commission's Order entered in Docket 83-0442, and any guidelines set forth in subsequent orders therein, including providing fee access to "911" emergency service.
12. That in Docket Number 90-0411, it was further Ordered on April 3, 1991 that as a condition of the Certificate of Service Authority granted to Peter Masztak, Peter Masztak was directed to establish books of account such that revenues from the relevant public pay telephones, subject to the public utility revenue tax, were to be segregated from the revenues derived from the private pay telephones.
13. That in Docket Number 90-0411, it was further Ordered on April 3, 1991 that Peter Masztak should file rates and tariffs applicable to the proposed service therein certificated and that said service shall not be commenced until those rates and tariffs were in effect.
14. That Peter Masztak is the primary (sixty percent) shareholder of the Applicant PMT PAY TELEPHONE CO. as well as the day-to-day manager of said corporation as well as the President of said Applicant corporation – and that Ms. Anna Capala, who testified in the proceedings under Docket

90-0411 pursuant to which a Certificate of Service Authority to provide customer-owned pay telephone services (COPTS) within the State of Illinois was granted to Peter Masztak and that Ms. Capala is also the forty percent shareholder of the Applicant as well as its Secretary.

15. That Peter Masztak has performed admirably and to his knowledge fully and completely all of the various duties and obligations imposed upon him pursuant to his receipt of a Certificate of Service Authority by Order of the Commission dated April 3, 1991.
16. That the approximately ninety-eight telephones which are operating at present throughout Cook County, Illinois pursuant to the Certificate of Service Authority granted to Peter Masztak on April 3, 1991 have been of great benefit to the people of Illinois – and that upon the granting of the Applicant corporation's application for a Certificate of Service Authority the same telephones will be able to be formally operated under the new Certificate of Service Authority.
17. That Peter Masztak has individually and on behalf of the Applicant as its duly-authorized agent determined for various reasons, including a desire to join a well-known association as well as on the advice of his and Applicant's accountants, determined to have Applicant secure a Certificate of Service Authority and, only upon the securing of such Certificate for the Applicant, to request that the Certificate of Service Authority granted to him individually in Docket Number 90-0411 be withdrawn as moot and duplicative.
18. That the transactions described hereinabove and made herein are fully in the public interest and should be approved.

WHEREFORE THE APPLICANT RESPECTFULLY REQUESTS THAT:

- A. The Illinois Commerce Commission, after a hearing, issue to the Applicant PMT PAY TELEPHONE CO., an Illinois corporation, a Certificate of Service Authority to provide public pay telephone services through the resale of local exchange and interexchange services from public locations (as defined in the Orders entered in Dockets 84-0464 and 84-0442), and in any subsequent Orders therein, in the State of Illinois.
- B. The Applicant be exempted from 83 Ill. Adm. Code 710 and 735.
- C. That any and all rights and benefits enjoyed by Peter Masztak pursuant to the Certificate of Service Authority granted on April 3, 1991 in Docket 90-0411 be granted to the Applicant.

- D. That only upon the issuance of a Certificate of Service Authority to Applicant the individual Peter Masztak be permitted to withdraw the Certificate of Service Authority currently in his individual name, either in this Docket Number or in another proceeding subsequent.
- E. For any such other and further relief to the Applicant as to the Commission might appear to be just and equitable for the benefit of Applicant.

Respectfully submitted,

PMT PAY TELEPHONE CO., an Illinois corporation, by:

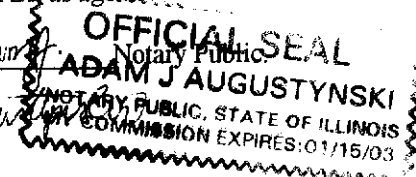
Peter Masztak, PRESIDENT & agent  
PETER MASZTAK, President and duly-authorized agent.

#### VERIFICATION

I, Peter Masztak, on my oath do hereby state and certify that I am the President and a duly-authorized agent of the Applicant, PMT PAY TELEPHONE CO., that I have read the above and foregoing Application by me subscribed and know the contents thereof; that said contents are true in substance and in fact, and as to those matters stated upon information and belief that I verily believe the same to be true and correct and complete.

Subscribed and sworn to before me on this, the 12 day of July 2000.

Peter Masztak 7/12/2000  
PETER MASZTAK, as agent

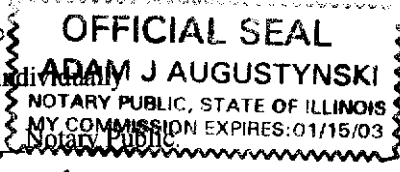


#### VERIFICATION

I, Peter Masztak, the individual, on my oath do hereby state and certify that I have read the above and foregoing Application by me in a fiduciary capacity subscribed and know the contents thereof; that said contents are true in substance and in fact, and as to those matters stated upon information and belief that I verily believe the same to be true and correct and complete.

Subscribed and sworn to before me on this, the 12 day of July 2000.

Peter Masztak 7/12/2000  
PETER MASZTAK, individually



Adam J. Augustynski, Attorney for Applicant, 5850 W. Bryn Mawr, Chicago, IL 60646; 773-775-0044.